



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 6

1445 ROSS AVENUE, SUITE 1200

DALLAS, TX 75202-2733

May 6, 2013

Mr. Ken Ofunrein
Group Manager, Compliance Inspections Group South
Regulatory Services Division
Texas Department of State Health Services
P.O. Box 149347
Austin, Texas 78714-9347

RE: Asbestos NESHAP Applicability for Demolition of Buildings in West, Texas

Dear Mr. Ofunrein:

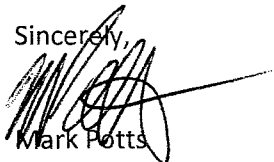
On April 17, 2013, an explosion at the West Fertilizer Company in West, Texas caused massive damage to area buildings including numerous private family residences, apartment complexes, an elder care home, and several schools. The National Emission Standard for Hazardous Air Pollutants (NESHAP) for asbestos applies differentially to demolition and debris removal associated with the explosion. The enclosed document, EPA Guidelines for Catastrophic Emergency Situations Involving Asbestos (Guidance), December 2009, may be of assistance. Summarized below is pertinent information related to critical demolition/debris removal activities.

1. Debris on the ground or in right-of-ways – The asbestos NESHAP does not apply to debris on the ground since this material is no longer a structure under the NESHAP (See page 28 of the Guidance). Workers should work to handle this material in a wet fashion and strive for no visible emissions to help protect workers and residents from potential asbestos fibers.
2. Single Family Residential Structures under the Control of the Homeowner – The asbestos NESHAP does not apply to individual single family homes being renovated or demolished by the homeowner (See page 30 of the Guidance). Homeowners are encouraged to perform these demolitions under wet conditions with no visible emissions and to transport the debris to an appropriate landfill for this type of waste. Notification to the landfill is encouraged in order to protect waste site workers.
3. Single Family Residential Structures under the Control of Local, City, State or Federal Government – In the event that a government agency will be performing demolitions (or their contractors), the demolition of single family homes is covered by the NESHAP. (See page 31 of the Guidance)

4. Apartments, Schools, ElderCare Facility – The asbestos NESHAP applies to demolition of these structures. (See page 29 of the Guidance)

If I can be of assistance or answer any questions, please contact me at 214 665-2723.

Sincerely,

A handwritten signature in black ink, appearing to read 'Mark Potts', with a long horizontal line extending to the right.

Mark Potts

Associate Director for Hazardous Waste Enforcement
Compliance Assurance and Enforcement Division
1445 Ross Avenue (6EN-H)
Dallas, Texas 75202

Enclosure

CC: Donald Wyrick, TDSHS
Kevin Jaynes, FEMA
Mark Hayes, EPA